



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8105 of 2022

1 NOWSHAD [PETITIONERS / ACCUSED]
2 FAIROSE
3 THABRESH

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
TIRUPATTUR TOWN POLICE STATION,
TIRUPATTUR,
TIRUPATTUR DISTRICT.
(CRIME NO.56 OF 2022)

For Petitioner : M/S.D.JAGADEESAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under **Sections 294(b), 323, 324 and 506(II) of IPC** in Crime No.56 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The *de facto* complainant was attacked by 4 persons when he questioned the first petitioner for his moral turpitude for marrying 3 women who are the relatives of the *de facto* complainant, when he already had 8 children. The *de facto* complainant has sustained lacerated wound and tenderness over the chest. While, A-2 was arrested and other two persons, who at large are now before this Court seeking anticipatory bail. These petitioners claims that the dispute arose due to holding water.



3. Considering the facts of the case and the abscondance by these petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate II, Tirupattur, Tirupattur District**, on condition that each of the petitioners shall execute separate bond for a sum of Rs.50,000/- (Rupees Fifty thousand Only), with two sureties, each for a like sum to the satisfaction of the learned Magistrate, failing which the anticipatory bail shall stand canceled and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) **the petitioners shall report before Ambur Town Police Station twice daily at 10.00 a.m. and 5.00 p.m. until further orders;**

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

07/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE,
NO.II, TIRUPPATHUR,

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
TIRUPATTUR TOWN POLICE STATION,
TIRUPATTUR, TIRUPATTUR DISTRICT.

5 THE OFFICER INCHARGE
AMBUR TOWN POLICE STATION,
VELLORE DISTRICT.

+1 CC to M/S.D.JAGADEESAN Advocate on payment of necessary
charges SR.NO.5360

CRL OP.8105/2022

Date :07/04/2022

TA-18/04/2022